

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on July 30, 2004 (Date of Deposit).

7/30/2004 Norica Gutierrez
Date Name

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. MBHB 02-252-B)

In the Application of:)

Eric B. Cummings)

Confirmation No. 5955

Serial No.: 09/886,165)

Art Unit: 1713

Filed: June 20, 2001)

Examiner:

Ling Siu Choi

For: Dielectrophoretic Systems)

Without Embedded)

Electrodes)

RESPONSE TO THE RESTRICTION REQUIREMENT
MAILED JUNE 30, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Restriction Requirement mailed June 30, 2004, Applicants elect the invention of Group I (claims 1-13 and 26-30). The election is made without traverse.

Allowance of the claims and passage of the application to issue are respectfully requested. Applicants urge the Examiner to contact Applicants' undersigned representative at (312) 913-0001 if the Examiner believes that this would expedite

Serial No.: 09/886,165

Filed: June 20, 2001

prosecution of this application.

Respectfully submitted,

Dated: July 30, 2004

By:

Raafat Shaltout

Raafat Shaltout

Reg. No. 45,092

McDonnell Boehnen

Hulbert & Berghoff LLP

300 South Wacker Drive

Chicago, Illinois 60606

(312) 913-0001



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Eric B. Cummings)	
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)	
For: Dielectrophoretic Systems Without)	
Embedded Electrodes)	

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:
 - a) Response to the Office Action Mailed June 30, 2004; and
 - b) Return Receipt Postcard.
2. With respect to fees:
 - a) No fee is due.
 - b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.
3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 30, 2004.

Respectfully submitted,

Dated: July 30, 2004

Raafat M. Shaltout

Raafat M. Shaltout
Registration No. 45,092